

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2001-017674

12/11/2002

HONORABLE CATHY M. HOLT

CLERK OF THE COURT
E. Schneider
Deputy

FILED: 12/13/2002

ALBERTO DE AGAZIO

WILLIAM SCOTT JENKINS
SUSAN M SWICK

v.

FRANCES SHARON NELSON

DOUGLAS G ZIMMERMAN

MINUTE ENTRY

8:32 a.m. This is the time set for the trial management conference. Plaintiff is represented by counsel William Scott Jenkins and Susan M. Swick. Defendant is represented by counsel Douglas G. Zimmerman.

Court Reporter: Denise Couvaras

Argument is presented re: Mr. Yanni's testimony. On stipulation, Mr. Avv. Dino Vanni will testify telephonically, out of order, on Wednesday, December 18, 2002 at 9:00 a.m.

IT IS ORDERED that the Office of Court Interpreter have an Italian Interpreter present at trial on Wednesday, December 18, 2002 at 9:00 a.m. for one (1) hour to assist Mr. Vanni who will be testifying telephonically from Milan, Italy. The cost of the Italian Interpreter will be borne by Plaintiff Alberto De Agazio.

Defendant's Motion in Limine to Preclude Evidence of Defendant's Immigration and Employment Status is argued and ruled upon as set forth on the record.

The parties stipulate that Mr. Hansen will not testify at trial. Defendant is not contesting the lease value on the vehicle but reserves objection to relevance.

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The parties stipulate that Ms. Susko will not testify at trial and the Court may consider her deposition testimony and deposition exhibits. Defendant stipulates that the Court may consider Ms. Susko's appraisal, as well as the deposition testimony and cross-examination of Ms. Susko to determine a listing price.

The record should reflect that the appraisal of the fair market value of the property by Ms. Susko will not be an issue for this partition trial but if the property is listed for sale, the Court will re-visit this issue and defendant has requested an evidentiary hearing be set as to Ms. Susko.

Upon stipulation, the Court directs counsel to meet and confer prior to trial on December 17, 2002 to resolve the objections to the admissibility of exhibits.

The Court directs counsel to meet and confer as to whether they can agree upon a procedure for the sale of the personal property.

CC: OCI